

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FREDERICK NEWHALL WOODS,

Petitioner,

v.

ELVIN VALENZUELA, Warden,

Respondent.

No. C 14-1936 CW

ORDER DIRECTING  
RESPONDENT TO SHOW  
CAUSE WHY THE  
PETITION SHOULD  
NOT BE GRANTED

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Petitioner, a state prisoner, has filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. He has paid the \$5.00 filing fee. It does not appear from the face of the petition that it is without merit. The Court hereby issues the following orders:

1. The Clerk of the Court shall serve a copy of this Order, the petition and all attachments thereto upon Respondent and Respondent's attorney, the Attorney General of the State of California.

2. Respondent shall file with this Court and serve upon Petitioner, within thirty (30) days of the issuance of this Order, an answer conforming in all respects to Rule 5 of the Rules Governing Section 2254 Cases, showing cause why a writ of habeas corpus should not be issued. Respondent shall file with the answer a copy of all portions of the relevant state records that have been transcribed previously and that are relevant to a determination of the issues presented by the petition.

3. If Petitioner wishes to respond to the answer, he shall do so by filing a traverse with the Court and serving it on

Respondent within thirty (30) days of his receipt of the answer.

4. Respondent may file with this Court and serve upon Petitioner, within thirty (30) days of the issuance of this Order, a motion to dismiss on procedural grounds in lieu of an answer, as set forth in the Advisory Committee Notes to Rule 4 of the Rules Governing Section 2254 Cases. If Respondent files such a motion, Petitioner shall file with the Court and serve on Respondent an opposition or statement of non-opposition to the motion within thirty (30) days of receipt of the motion, and Respondent shall file with the Court and serve on Petitioner a reply within fifteen (15) days of receipt of any opposition.

IT IS SO ORDERED.

Dated: 7/11/2014

  
CLAUDIA WILKEN  
United States District Judge